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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q88645

Yoshiyuki FUKUMOTO, et al.

Appln. No.: 10/539,373

Group Art Unit: 2627

Confirmation No.: 4607

Examiner: Allen J. Heinz

Filed: June 16, 2005

For: MAGNETIC TUNNEL DEVICE AND MAGNETIC MEMORY USING SAME

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.97 and 1.98

MAIL STOP AMENDMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

- 1. United States Patent No. 6,544,801, issued April 8, 2003 (previously submitted and considered).
- 2. United States Patent No. 5,998,016, issued December 7, 1999.
- 3. United States Patent No. 7,009,266, issued March 7, 2006.
- 4. United States Patent Application Publication No. 2005/0219769, published October 6, 2005.

INFORMATION DISCLOSURE STATEMENT

U.S. Appln. No.: 10/539,373

Q88645

No copies of the above listed documents are being submitted with this Information Disclosure Statement as they are all United States Patents or Publications.

The present Information Disclosure Statement is being filed (without a Statement Under 37 C.F.R § 1.97(e)) after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), and therefore a check for the fee of \$180.00 under 37 C.F.R. § 1.17(p) is attached.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,

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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: December 19, 2006

		MODIFIED PTO/SB/08 A & B (08-03)		
	Complete if Known			
Substitute for Form 1449 A & B/PTO	Application Number	10/539,373		
PE 40 INFORMATION DISCLOSURE	Confirmation Number	4607		
	Filing Date	June 16, 2005		
C 1 9 2006 STATEMENT BY APPLICANT	First Named Inventor	Yoshiyuki FUKUMOTO		
(use as many sheets as necessary)	Art Unit	2627		
	Examiner Name	Allen J. Heinz		
a reason lineet 1 of 1	Attorney Docket Number	Q88645		

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Document Number		Publication Date		
		Number	Kind Code ² (if known)	MM-DD-YYYY	Name of Patentee or Applicant of Cited Documen	
		US 5,998,016	Α	12-07-1999	Sasaki, et al.	
		US 7,009,266	B2	03-07-2006	Shi, et al	
		US 2005/0219769	Al	10-06-2005	Shimura, et al.	
		US				
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FOREIGN PATENT DOCUMENTS							
Examiner Cite Initials* No. ¹	Cite	Foreign Patent Document			Publication Date	Name of Patentee or	Translation ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)	MM-DD-YYYY	Applicant of Cited Document	Translation
				 			
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		NON PATENT LITERATURE DOCUMENTS	
Examiner Cite Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.		Translation ⁶	
			
			
			
			
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Examiner Signature	Date Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or follow the hyperlink from the title of the document to the intranet. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to indicate here if English language Translation is attached.